

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

DEC 07 2017

Clerk of Court

United States of America
v.
Nicolas GUEL (YOB: 1981) MEX

Case No.

M-17-2228-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12/06/2017 in the county of Hidalgo in the
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a)(1)

Knowingly and intentionally possess with intent to distribute approximately
259 kilograms of marijuana, a schedule I controlled substance

This criminal complaint is based on these facts:

(SEE ATTACHMENT 1)

☒ Continued on the attached sheet.approved by
MSA [Signature]

Sworn to before me and signed in my presence.

Date: 12/07/2017City and state: McAllen, Texas

[Signature]

Complainant's signature

Antonio Delacruz, DEA
Printed name and title

[Signature]

Judge's signature

Dorina Ramos, Magistrate Judge

Printed name and title

Attachment I

On December 05, 2017, at approximately 7:08 am, Border Patrol Agent Garza responded to a Drawbridge camera activation in Los Ebanos, TX. Agent Garza was informed via radio that two subjects triggered the hidden camera that is inside the area known as "smugglers alley" which is an area known for alien and narcotics smuggling.

Agent Garza drove to "smugglers alley" which is an overgrown ranchland with no houses. Agent Garza observed a gold van driving towards him. Agent Garza noticed that the driver of the van had tattoos on his hands and arms. When the driver of the van saw Agent Garza it turned around and drove south. Agent Garza observed the van crash into a hay bale on the side of the road causing it to rollover. Agent Garza observed narcotics bundles on the road and inside the van. Agent Garza also noticed a thin built male running into the brush nearby. Agent Garza approached the van and noticed a male identified as Nicolas GUEL-Lomas, DOB 07-20-1981 laying approximately five yards away from the passenger side of the van, who appeared to have been ejected from the van. Agent Garza detained GUEL and placed him in his patrol vehicle and contacted EMS to render aid to GUEL who was asking for medical attention. Agent Garza observed that GUEL was wearing a royal blue Nike shoe and a second matching shoe was located in the driver side floor board of the van. GUEL was transported to Mission Regional Medical Center for treatment; the narcotics were transported to the McAllen Border Patrol Station by Border Patrol Agents. 50 bundles of Marijuana totaled a weight of 259 kilograms.

On December 06, 2017 Drug Enforcement Administration (DEA) Agents responded to the McAllen Border Patrol Station to interview the subject. TFO Angelita Perez as witnessed by SA Antonio De La Cruz read Nicolas GUEL his rights in his preferred language of Spanish. GUEL advised Agents that he wanted his attorney present before answering any questions. The interview on GUEL was terminated.

AUSA Sturgis approved the case for prosecution.